

Legislative Fiscal Bureau

Fiscal Note

HF 2563 - Representation of Indigent Probationers & Parolees (LSB 6874 HV)
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Fiscal Note Version - New
Requested by Representative Mark Tremmel

Description

House File 2563 provides that defense counsel shall not be provided in a parole proceeding.

Assumptions

1. State costs for indigent defense in parole proceedings during FY 2001 were approximately \$70,000.
2. The law will become effective July 1, 2002. A lag of six months is assumed, from the effective date in the change in the law to the date of parole proceedings occurring without defense counsel for indigent parolees.
3. The average annual increase in total spending is 6.2% for indigent defense, including the State Public Defender's Office and the Indigent Defense appropriation, from FY 1997 through FY 2001.
4. The average annual increase for all cases is 8.4% staffed by the State Public Defender's Office and all claims for the Indigent Defense appropriation from FY 1990 through FY 2001.

Fiscal Impact

State claims for indigent defense may be reduced by \$35,000 in FY 2003 and \$70,000 in FY 2004. However, this may be a cost containment measure rather than an expenditure reduction measure. Total spending may not decrease due to increases in other cases and claims staffed by the State Public Defender's Office or private attorneys.

Source

Office of the State Public Defender

/s/ Dennis C Prouty

February 28, 2002

The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Legislative Fiscal Bureau to members of the Legislature upon request.
